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UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK CA, INC., Plaintiff, ٧. : 04 Civ. 2697 (TCP) (ETB) CHARLES WANG, PETER SCHWARTZ, SANJAY KUMAR, IRA ZAR, STEVEN WOGHIN, STEPHEN RICHARDS, DAVID KAPLAN, DAVID RIVARD, LLOYD SILVERSTEIN, CHARLES MCWADE and RUSSELL ARTZT, Defendants.

## NOTICE OF DISMISSAL AS TO DAVID KAPLAN

PLEASE TAKE NOTICE that, pursuant to Rule 41(a)(1)(A)(i), Fed. R. Civ. P.,

Plaintiff CA, Inc. hereby dismisses with prejudice all of its claims in this action against

Defendant David Kaplan, without costs or attorneys' fees to either party as against the other.

Dated: New York, New York November 9, 2010

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50 Ordered. Thomas C. Platt, U.S.D.J November 12,2010